



## CALIFORNIA EMERGENCY MANAGEMENT AGENCY

November 5, 2009

TO: County Alcohol and Drug Program Administrators

SUBJECT: Request for Applications

This letter transmits the 2009 Request for Applications (RFA) for the Recovery Act Justice Assistance Grant - Substance Abuse Offender Treatment Program (JAG - OTP).

The Fiscal Year 2009 Amended Budget Act requires that one-time American Recovery and Reinvestment Act (Recovery Act) of 2009 funds be distributed by the California Emergency Management Agency (Cal EMA) in conjunction with the Department of Alcohol and Drug Programs (ADP). These one-time funds shall be used to provide substance abuse treatment for criminal offenders convicted of nonviolent drug offenses in the OTP authorized by Health and Safety Code Section 11999.30, and following a drug court model.

The deadline for submission of JAG - OTP applications is Monday, November 30, 2009. The grant award period is from October 1, 2009 to March 31, 2011. Reimbursement for expenditures may be claimed as of October 1, 2009, once your agency has received the signed Grant Award Agreement.

Consistent with the strong emphasis on accountability and transparency of the Recovery Act, multiple streams of reporting requirements are included in these grants. Generally speaking, these requirements include: 1) Bureau of Justice Assistance (BJA) JAG Performance Measures; 2) Recovery Act Office of Management and Budget; (OMB) reporting requirements; and 3) OTP requirements. In order to ensure compliance with these requirements, and to meet the original intent of Recovery Act objectives, respondents must also consider supporting positions with this funding.

Counties that do not wish to receive JAG - OTP funds must complete the attached JAG - OTP Decline Funds form and submit it to the Cal EMA by **November 30, 2009**.

If you have questions regarding submission of your application, contact Angela Smith at (916) 324-9216, or via email at [Angela.Smith@oes.ca.gov](mailto:Angela.Smith@oes.ca.gov).

Sincerely,

Brendan A. Murphy  
Director of Grants Management



DECLINE OF FUNDS  
Justice Assistance Grant (JAG)  
Substance Abuse Offender Treatment Program (OTP)  
Fiscal Year 2009-10

**JAG-OTP**

The reason(s) the county declines to apply for JAG funds is as follows (check all that apply):

- ☐ No drug court
- ☐ No dedicated court calendar
- ☐ Other (please explain)
- ☐ Unable to meet reporting requirements

Explanation:

\_\_\_\_\_  
Lead Administrator  
Signature

\_\_\_\_\_  
County

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone  
Number

Please mail or fax by November 30 2009:  
California Emergency Management Agency  
Gang Violence Section  
Attn: Angela Smith  
3650 Schriever Avenue  
Mather, California 95655  
Fax: (916) 323-1756

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[BJA Justice Assistance Grant Program Performance Measures by Activity](#)  
[California ARRA & Accountability Tool \(CAAT\) Subrecipient Reporting of OMB Data for Recovery JAG Programs](#)

## SUBSTANCE ABUSE OFFENDER TREATMENT PROGRAM PART I – OVERVIEW

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- A. INTRODUCTION
  - B. CONTACT INFORMATION
  - C. APPLICATION DUE DATE AND SUBMISSION OPTIONS
  - D. ELIGIBILITY
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- 

### A. INTRODUCTION

This Request for Application (RFA) provides the information and forms necessary to prepare an application for California Emergency Management Agency (Cal EMA) grant funds. The terms and conditions described in this RFA supersede previous RFAs and conflicting provisions stated in the *Recipient Handbook*. The *Recipient Handbook* provides helpful information for developing the application and is accessible on our website at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov). Look on the left side of the Cal EMA homepage under “Quick links” for the *Criminal Justice Programs Recipient Handbook* or scroll over the “Justice Programs” tab, select “Grant Applications & Proposals (RFAs/RFPs),” and then look under the “Related Links” section for *Recipient Handbooks*.

### B. CONTACT INFORMATION

Questions concerning this RFA, the application process, or programmatic issues should be submitted to:

Angela Smith, Program Specialist  
Phone: 916-324-9216  
Fax: 916-323-1756  
Email: [Angela.Smith@oes.ca.gov](mailto:Angela.Smith@oes.ca.gov)

### C. APPLICATION DUE DATE AND SUBMISSION OPTIONS

**One original and two copies** of the application must be delivered to Cal EMA’s Public Safety and Victim Services Programs by the date and time indicated below. Submission options are:

Regular or overnight mail, postmarked by **Monday, November 30, 2009** OR hand delivered by 5:00 p.m. on **Monday, November 30, 2009** to:

California Emergency Management Agency  
Public Safety and Victim Services Programs  
3650 Schriever Avenue  
Mather, CA 95655  
Attn: Gang Violence Section  
Substance Abuse Offender Treatment Program

### D. ELIGIBILITY

The Alcohol and Drug Program Administrator in each county is eligible to apply for Recovery Act Justice Assistance Grant Program – Substance Abuse Offender Treatment Program (JAG - OTP) at the maximum amount indicated in the following table. If the applicant county does not have a designated Alcohol and Drug Program Administrator, the County Board of Supervisors may designate the county agency to apply for these funds. The District Attorney's Office and the Public Defender's Office are not eligible to receive JAG - OTP funds. The amount of funds allocated may increase subsequent to the application depending upon the number of applications received and the amount of funds requested. Each county may only submit one application.

Counties	Allocation	Counties	Allocation
ALAMEDA	\$1,658,726	ORANGE	\$3,232,008
ALPINE	\$112,194	PLACER	\$448,629
AMADOR	\$148,862	PLUMAS	\$131,514
BUTTE	\$330,482	RIVERSIDE	\$2,206,561
CALAVERAS	\$156,723	SACRAMENTO	\$1,535,965
COLUSA	\$132,871	SAN BENITO	\$168,683
CONTRA COSTA	\$1,165,351	SAN BERNARDINO	\$2,160,126
DEL NORTE	\$140,377	SAN DIEGO	\$3,266,201
EL DORADO	\$290,151	SAN FRANCISCO	\$951,708
FRESNO	\$1,047,892	SAN JOAQUIN	\$796,524
GLENN	\$140,071	SAN LUIS OBISPO	\$379,878
HUMBOLDT	\$242,993	SAN MATEO	\$852,579
IMPERIAL	\$289,226	SANTA BARBARA	\$539,838
INYO	\$128,945	SANTA CLARA	\$1,957,964
KERN	\$933,427	SANTA CRUZ	\$378,096
KINGS	\$264,855	SHASTA	\$292,973
LAKE	\$174,658	SIERRA	\$114,339
LASSEN	\$146,346	SISKIYOU	\$156,709
LOS ANGELES	\$10,444,559	SOLANO	\$535,281
MADERA	\$262,457	SONOMA	\$594,838
MARIN	\$368,134	STANISLAUS	\$634,363
MARIPOSA	\$129,201	SUTTER	\$127,723
MENDOCINO	\$200,688	TEHAMA	\$173,476
MERCED	\$365,979	TRINITY	\$124,879
MODOC	\$120,642	TULARE	\$549,948
MONO	\$124,427	TUOLUMNE	\$167,012
MONTEREY	\$540,414	VENTURA	\$942,283
NAPA	\$247,782	YOLO	\$310,558

NEVADA	\$209,152	YUBA	\$151,759
TOTAL		\$44,400,000	

## E. FUNDS

Funding to support the Recovery Act Justice Assistance Grant - Substance Abuse Offender Treatment Program (JAG - OTP) is authorized by the American Recovery Act and Reinvestment Act of 2009 (Public Law 111-5) (the "Recovery Act") and by 42 U.S.C. 3751(a). For additional information please refer to the Authorizing Federal Legislation on page 5 of this RFA. The California Emergency Management Agency (Cal EMA), as the State Administrative Agency (SAA) in California, was awarded a total of \$135,641,045 under the JAG Program. Of this amount, \$44,400,000 has been allocated to the OTP.

Cal EMA is responsible for the administration of this one-time federal fund in the amount of \$44,400,000 to disperse to county agencies to provide substance abuse treatment for criminal offenders convicted of nonviolent drug offenses in the OTP. Participating agencies must budget funds for an 18-month grant period, beginning October 1, 2009 through March 31, 2011, with no allowable carryover. There is no county match requirement these JAG - OTP funds.

## F. PROGRAM INFORMATION

### Program Purpose

In Fiscal Year 2006-07, the Legislature, gave authority to the Department of Alcohol and Drug Programs (ADP) to establish the OTP. The goal and purpose of OTP is to serve and enhance outcomes and accountability of substance abuse offenders convicted of nonviolent drug offenses. In FY 2009-10 OTP is funded from the California State General Fund at \$18,000,000 with oversight provided by the ADP programs. The- JAG program is funded at \$44,400,000 through the federal government with oversight provided by Cal EMA. Since ADP initially implemented the OTP and administers the State General Fund portion of OTP, Cal EMA will implement the federal JAG portion of the program consistent with the guidelines established by ADP.

JAG - OTP funds are used for the following purposes:

- Enhance treatment services for offenders assessed to need them, including residential treatment and narcotic treatment therapy.
- Increase the proportion of sentenced offenders who enter, remain in, and complete treatment, through activities and approaches such as co-location of services, enhanced supervision of offenders, and enhanced services determined necessary through the use of existing drug test results.
- Reduce delays in the availability of appropriate treatment services.
- Use of drug court model, including dedicated court calendars with regularly scheduled reviews of treatment progress, and strong collaboration by the courts, probation, and treatment.
- Develop treatment services that are needed but not available.
- Other activities, approaches, and services approved by Cal EMA, after consultation with stakeholders.

## Program Requirements

Projects funded under this program are required to ensure the following:

- The establishment and maintenance of dedicated court calendars with regularly scheduled reviews of treatment progress for persons ordered to drug treatment.
- The existence or establishment of a drug court, or a similar approach, and willingness to accept defendants who are likely to be committed to state prison.
- The establishment and maintenance of protocols for the use of drug testing to monitor offenders' progress in treatment.
- The establishment and maintenance of protocols for assessing offenders' treatment needs and the placement of offenders at the appropriate level of treatment.
- The establishment and maintenance of protocols for effective supervision of offenders on probation.
- The establishment and maintenance of protocols for enhancing the overall effectiveness of services to eligible parolees.
- Cal EMA, in its discretion, may limit the expenditure of funds provided under this program for administrative costs. Cal EMA may also require a limitation on the expenditure of funds provided under this grant program for services other than direct treatment costs, as a condition of receipt of program funds.

## Authorizing Federal Legislation

The American Recovery Act and Reinvestment Act of 2009, Public Law 111-5 (the "Recovery Act"), was signed into law by President Obama on February 17, 2009. It is an unprecedented effort to jumpstart our economy, create or save millions of jobs, and put a down payment on addressing long neglected challenges so our country can thrive in the 21<sup>st</sup> century. The Recovery Act is an extraordinary response to a crisis unlike any since the Great Depression, and includes almost \$2 billion in critical resources for state and local law enforcement and other criminal justice activities through the JAG program.

Consistent with the strong emphasis on accountability and transparency of the JAG, multiple streams of reporting requirements are included in these grants. Generally speaking, these requirements include: 1) JAG Performance Measures; 2) Recovery Act Office of Management and Budget; (OMB) reporting requirements; and 3) OTP requirements. In order to ensure the ability to comply with these requirements and to meet the original intent of Recovery Act objectives, respondents must also consider staffing positions with this funding.

## ***Use of Funds***

Recipients may utilize JAG funds for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, as well as research and evaluation activities that will improve or enhance law enforcement programs related to criminal justice. Some examples include: prosecution and court programs; prevention and education programs; corrections and community corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs (other than compensation).



In addition to fulfilling program-specific purposes, projects funded under the Recovery Act should be designed to further one or more of the general purposes of the Recovery Act, which are to preserve and create jobs and promote economic Recovery Act; to assist those most impacted by the recession; to provide investments needed to increase economic efficiency by spurring technological advances in science and health; to invest in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits; and to stabilize state and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases.

JAG funds may not be expended outside of the JAG purpose areas. Even within the purpose areas, however, JAG funds may not be used directly or indirectly for security enhancements or equipment to nongovernmental entities not engaged in criminal justice or public safety. In addition, JAG funds may be used directly or indirectly to provide for any of the following matters unless the U.S. Attorney General certifies, in advance, that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order: vehicles (excluding police cruisers); vessels (excluding police boats); aircraft (excluding police helicopters); luxury items; real estate; construction projects (other than penal or correctional institutions); and any similar matters.

### ***Non-Supplanting of State and Local Funds***

Recipients must use federal funds to supplement existing State and local funds for program activities and must not replace (supplant) State or local funds that they have appropriated or allocated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations may result in a range of penalties, including suspension of current and future funds under this program, suspension or debarment from federal grants, recoupment of monies provided under a grant, and civil and/or criminal penalties.

### ***Registration***

The registration process for organizations includes: (1) Obtaining a Data Universal Numbering System (DUNS) number; and (2) Registering your organization with the Central Contractor Registration (CCR) database. Each recipient is required to obtain a DUNS number and register with the Central Contractor Registration (CCR) no later than the due date of the first quarterly report after the award is made.

**A DUNS number is required:** All applicants must include a DUNS (Data Universal Numbering System) number in their application. Applications without a DUNS number are incomplete.

A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, simple, one-time activity. Obtain one by calling 1-866-705-5711 or by applying online at <http://fedgov.dnb.com/webform/displayHomePage.do>.

**Central Contractor Registration (CCR) is required:** In addition to the DUNS number requirement, the Bureau of Justice Assistance (BJA) requires that all applicants (including subrecipients) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about registration procedures can be accessed at [www.ccr.gov](http://www.ccr.gov).

## Federal Reporting Requirements

### ***Accountability and Transparency under the Recovery Act - Separate Tracking and Reporting of Recovery Act JAG Funds and Outcomes***

Consistent with the special purposes and goals of the Recovery Act, and its strong emphasis on accountability and transparency, it is essential that all funds from a Recovery Act grant be tracked, accounted for, and reported on separately from all other funds (including State and Federal grant funds from non-Recovery Act grants awarded for the same or similar purposes or programs). Recipients must also be prepared to track and report on the specific outcomes and benefits attributable to use of Recovery Act funds. The accounting systems of all recipients and subrecipients must ensure that funds from any award under this Recovery Act solicitation are not commingled with funds from any other source.

Misuse of grant funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from grants, recoupment of monies provided under a grant, and civil and/or criminal penalties.

### ***Quarterly Financial and Programmatic Reporting***

Consistent with the Recovery Act emphasis on accountability and transparency, reporting requirements under Recovery Act grant programs will differ from and expand upon standard reporting requirements for grants. In particular, Section 1512(c) of the Recovery Act sets out detailed requirements for quarterly reports that must be submitted to the Office of Management and Budget (OMB) within 10 days of the end of each calendar quarter. Receipt of funds will be contingent on meeting the Recovery Act reporting requirements.

### ***Reporting Due Dates***

In order for Cal EMA to meet the quarterly reporting requirements set forth for OMB under the JAG, subrecipient quarterly OMB financial reporting will be required, and is due within 15 calendar days after the end of each Cal EMA quarter outlined below:

OMB Reporting Periods	Due Dates
September 1 - November 30	December 15
December 1 - February 28	March 15
March 1 - May 31	June 15
June 1 - August 30	September 15

These standardized reporting periods are mandatory regardless of the grant performance period.

Information from grant recipient reports will be posted on public websites at both the State and Federal level. Recipients may access California's Recovery website at: [www.Recovery.ca.gov](http://www.Recovery.ca.gov), and the Federal Recovery website at [www.Recovery.gov](http://www.Recovery.gov). Recovery recipients may expect that the information posted by both State of California and Bureau of Justice Assistance (BJA) will identify recipients that are delinquent in their reporting. **Therefore, no extensions will be granted to the above reporting due dates.**

In addition, recipients who do not submit required reports by the above due dates may be subject to other appropriate actions by Cal EMA, including, but not limited to, suspension or termination of the Recovery Act award, and restrictions on eligibility for future Cal EMA awards.

Recipients may expect that a standard form and/or reporting mechanism will be available and is discussed, in detail below under “**Reporting Requirements – Office of Management and Budget**” beginning on page 7, and under “**Performance Measures – Bureau of Justice Assistance**” beginning on page 11. Additional instructions and guidance regarding any new reporting requirements will be provided as they become available.

By accepting a JAG award from Cal EMA, all recipients agree to meet any additional reporting requirements placed on the JAG funds by the Office of Management and Budget and/or the BJA.

### **Reporting Requirements – Office of Management and Budget**

Consistent with the special purposes and goals of the Recovery Act, and its strong emphasis on accountability and transparency, all funds under the JAG Program must be tracked, accounted for, and reported on separately from all other funds (including funds from non-Recovery Act grants awarded for the same or similar purposes or programs). Recipients must also be prepared to track and report on the specific outcomes and benefits attributable to use of JAG funds. The accounting systems of all recipients and sub-recipients must ensure that funds from any award under the JAG solicitation are not commingled with funds from any other source.

To assist in fulfilling the accountability objectives of the Recovery Act, as well as Cal EMA’s responsibilities to the Bureau of Justice Assistance under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work (See Attachment E). In addition, applicants must discuss their data collection methods in their application. The following are **required** measures for awards made under the Recovery Act which will be provided to the Office of Management and Budget:

<b>Objective</b>	<b>Performance Measures</b>	<b>Data the grantee provides for 3-month reporting period</b>	<b>Description (Plain language explanation of what exactly is being provided)</b>
Recovery Act : Preserving jobs	Number of jobs saved (by type) due to Recovery Act funding.	a) How many jobs were prevented from being eliminated with the Recovery Act funding during this reporting period?  b) How many jobs that were eliminated within the last 12 months were reinstated with Recovery Act funding?	An unduplicated number of jobs that would have been eliminated if not for the Recovery Act funding during the three-month quarter. Report this data for each position only once during the grant. A job can include full time, part time, contractual, or other employment relationship.

Recovery Act : Creating jobs	Number of jobs created (by type) due to Recovery Act funding.	How many jobs were created with Recovery Act funding this reporting period?	An unduplicated number of jobs created due to Recovery Act funding during the three month quarter. Report this data for each position only once during the grant. A job can include full time, part time, contractual, or other employment relationship.
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**NOTE:** In addition, new performance measures specific to the JAG Program have been developed by the BJA with input from criminal justice members in the field. These performance measures can be found at [www.ojp.usdoj.gov/BJA/grant/JAG\\_Measures.pdf](http://www.ojp.usdoj.gov/BJA/grant/JAG_Measures.pdf), and are also attached for your reference.

### Reporting Basics

All Recovery Act funded recipients are required to report under Section 1512(c) of the Recovery Act:

- All entities that receive awards from Cal EMA; and
- Subrecipients who have been delegated reporting responsibilities by their prime recipient.

Section 1512 (c) requires reporting of the following information:

- Total amount of Recovery Act funds received and the amount spent on projects and activities;
- List of projects and activities funded by name to include: description, completion status, and estimates on jobs created or retained; and
- Details about subawards and subcontracts.

### Reporting Jobs Data

Section 151(c) requires recipients to report on the **total number of jobs “created” or “retained”** through the Recovery Act funding, including:

- Paid positions that are new or existing vacant positions filled as a result of Recovery Act funding;
- An existing position for which recipients have documentation that the positions would have been eliminated if not for Recovery Act funding;
- Any position using Recovery Act funding after a lay-off occurred; and
- Recovery Act compensated overtime for created, retained, or existing positions.

Two Fields: Numeric and Description

- Number of jobs: Total number of jobs created and retained, in Full Time Equivalent (FTSs); and
- Description of jobs created/retained: Details the employment impact of jobs created and retained.

Recipients must submit a narrative that describes the jobs impact of their award/project. The narrative description should use the following labor categories to classify jobs created and/or retained:

- Law enforcement
- Detention, probation, parole, and community corrections
- Policy/research/intelligence

- Community/social/victim services
- Courts/prosecution, defense, and civil attorneys
- Training and technical assistance

### ***Supporting Documentation***

Recipients must maintain auditable documentation supporting all reported data, including jobs data. Documentation should provide evidence that:

- 1) Created/retained positions and overtime hours are funded by Recovery Act awards;
- 2) Personnel are directly supporting Recovery Act projects and activities; and
- 3) Positions meet the criteria for “created/retained” positions and overtime hours.

Recommended Documentation		
Created Jobs	Retained Jobs	Overtime
<ul style="list-style-type: none"> <li>• Old and new organizational charts</li> <li>• New position descriptions</li> <li>• Jobs postings, offer letters and acceptance forms</li> <li>• Staffing lists</li> <li>• Timecards and payroll records</li> </ul>	<ul style="list-style-type: none"> <li>• Budget comparisons and/or projections before and after the Recovery Act award date</li> <li>• Formal layoff recommendations and retractions (memos, reports)</li> <li>• Minutes of formal meetings where official budget decisions are made</li> <li>• Timecards and payroll records</li> <li>• Employee activity reports</li> </ul>	<ul style="list-style-type: none"> <li>• Timecards and payroll records</li> <li>• Employee activity reports</li> </ul>

### ***Calculating Numeric Jobs Data***

How do I report Recovery Act funded created and retained jobs?

- Jobs should be reported as “Full-Time Equivalents” (FTEs); and
- An FTE is calculated as the total hours worked in jobs created or retained jobs divided by the number of hours in a full-time schedule.

### ***FTEs: What Counts?***

#### Do Count

- Hours worked by Recovery Act funded new and retained employees:
  - Compensated employees working in the U.S. or its “outlying areas”;
  - Employees of the recipient or subrecipient, including personnel hired through a 3<sup>rd</sup> party (e.g. staffing or temp agency);
  - Employees of certain vendors (more below);
  - Paid leave (CTO, vacation/sick leave, etc.);
- Recovery Act Act-funded overtime for created, retained or other positions; and
- Hours worked on or after the award date.

#### Don't Count

- Existing Positions: Standard hours for existing positions funded with Recovery Act dollars that do **not** meet the criteria for “created” or “retained”;
- Support Positions: Positions that are **not directly funded by the Recovery Act** but are necessary to support the corresponding increase in activity (e.g. accounting or HR staff funded through indirect); and

- Indirect/Induced Jobs: Retail transactions and contracts with service providers that do not require dedicated personnel or single purchases of less than \$500,000 from an individual manufacturer or supplier.

In addition, recipients will be provided an excel spreadsheet which will be filled out and emailed to your program specialist no later than 15 days after the end of the quarter. This spreadsheet will assist in the collection of data required under the Recovery Act, the Federal Transparency Act, and California's Transparency Act.

#### Review and Release of Data

#### **Scope of Data Quality Reviews**

- Accuracy, Completeness, and Timely Reporting
- Avoidance of Material Omissions  
Instances where required data is **not reported or reported** information is not otherwise responsive to data requests resulting in significant risk that **the public is not fully informed** as to the status of the project or activity.
- Avoidance of Significant Report Errors  
Instances where required data is **not reported accurately** and such erroneous reporting results in significant risk that **the public will be misled or confused** by the recipient report in question.

#### **Cal EMA Review - Internal Controls**

- Data review protocol or automated process that identifies incongruous results (e.g., total amount spent on a project or activity is equal to or less than the previous reporting);
- Cross-validation of data to identify and/or eliminate potential "double counting" due to delegation of reporting responsibility to subrecipient;
- Control totals (e.g., total number of projects subject to reporting, total dollars allocated to projects) and verifying that reported information matches the established control totals; and
- Estimated distribution of expected data along a "normal" distribution curve and identifying outliers.

#### **Cal EMA – Data Quality Checks**

##### Verify control information

- Number of submissions does not exceed number of unique subrecipients; and
- Amount of subawards reported does not exceed total of prime award made.

##### Check for material omissions

- Data are not reported (e.g., percent of project completed, estimated number of jobs).

##### Check for reporting errors

- Subrecipient reports 100% project completion, but has received minimal funding;
- Subrecipient reports expenditures in excess of total amount of subaward; and
- Reported values show a decrease from a prior reporting period.

##### Look for outliers

- Expended amounts reported by subrecipients are over or under anticipated amounts; and
- Number of jobs created falls well outside the range of the number of jobs created for awards of similar value and purpose.



### Verify Correct Identifying Date

- Correct federal DOJ award number; and
- Correct DUNS number.

### **Data Release**

Final data will be publicly released on the Federal Recovery website at [www.Recovery.gov](http://www.Recovery.gov) and on California's Recovery website at [www.Recovery.ca.gov](http://www.Recovery.ca.gov) no later than the 30<sup>th</sup> day;

- Draft data may be released as early as the 11<sup>th</sup> day;
- Reports will indicate Federal Agency review status:
  - Not Reviewed by Federal Agency;
  - Reviewed by Federal Agency, no material omissions or significant reporting errors identified; and
  - Reviewed by Federal Agency, material omissions or significant reporting errors identified.

**NOTE: Uncorrected data instances will be made public on the Federal Recovery website at [www.Recovery.gov](http://www.Recovery.gov) and on California's Recovery website at [www.Recovery.ca.gov](http://www.Recovery.ca.gov). Recipients are responsible for the quality of their data.**

### **Performance Measures – Bureau of Justice Assistance**

JAG Programmatic Performance Measures are customized dependent on activity type within each purpose area. Recipients will report on performance measures for only those activities funded by Recovery Act dollars. Recipients are not required to report on all BJA programmatic performance measures; only those applicable to your project's focus. Please note these are draft measures and may change slightly based on feedback from the field and the Office of the Inspector General (OIG). These programmatic measures will be collected by Cal EMA quarterly 15 DAYS after the end of the quarter in the BJA new online Performance Measurement Tool (PMT).

**NOTE: Cal EMA will be delegating reporting responsibility to its subrecipients for reporting data in BJA's Performance Measurement Tool (PMT). Each recipient will be issued a user ID and password which will allow for direct reporting of JAG Performance Measures in BJA's PMT.**

In addition, Cal EMA has included performance measures within this RFA that were provided directly to Cal EMA by ADP, which are over and above the BJA performance measures. The Cal EMA performance measures will be collected separately from the BJA performance measures and reported directly to Cal EMA via quarterly progress reports.

Therefore, each recipient must:

- Maintain supporting documentation used to compile reporting data; and provide copies to Cal EMA as requested;
- Develop a system to collect and report performance measures before the reporting period due date; and
- Crosscheck all data records before reporting in the PMT to prevent significant reporting errors.

**PMT Reporting Schedule:** Performance measure reporting will be completed on a quarterly basis as follows:

<b>JAG Reporting Schedule</b>		
<b>Reporting Period</b>	<b>Type of Data Required</b>	<b>PMT Due Date</b>
July 1 – September 30	Program Performance Measures and Narrative	October 15
October 1 – December 31	Program Performance Measures	January 15
January 1 – March 31	Program Performance Measures	April 15
April 1 – June 30	Program Performance Measures	July 15

**NOTE:** Uncorrected data instances will be made public on the Federal Recovery website at [www.Recovery.gov](http://www.Recovery.gov) and on California's Recovery website at [www.Recovery.ca.gov](http://www.Recovery.ca.gov). Recipients are responsible for the quality of their data.

**Additional Requirements Related to the Recovery:** *All Act JAG recipients will be required to follow any applicable provisions of government-wide guidance that may be issued in the future, pursuant to the Recovery Act.*

### **Reporting Fraud, Waste, Error and Abuse**

Each recipient awarded funds made available under the Recovery Act is to promptly refer to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has submitted false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving Recovery Act funds.

You may report potential fraud, waste, abuse, or misconduct to the U.S. Department of Justice, Office of the Inspector General (OIG) by:

**Mail:** Office of the Inspector General  
U.S. Department of Justice  
Investigations Division  
950 Pennsylvania Avenue, N.W.  
Room 4706  
Washington, DC 20530

**E-mail:** [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov)

**Hotline:** (in English and Spanish): (800) 869-4499

**Fax:** (202) 616-9881

Additional information is available from the DOJ OIG web site at [www.usdoj.gov/oig/](http://www.usdoj.gov/oig/).

The Recovery Act provides certain protections against reprisals for employees of non-Federal employers who disclose information reasonably believed to be evidence of gross management, gross waste, substantial and specific danger to public health or safety, abuse of authority, or violations of law related to contracts or grants using Recovery Act funds. For additional information, refer to section 1553 of the Recovery Act.



## ***Suspension or Termination of Funding***

Cal EMA may suspend funding in whole or in part, terminate funding, or impose other sanctions on a recipient for the following reasons:

- Failing to comply substantially with the requirements or statutory objectives of the appropriate Act, program guidelines issued there under, or other provisions of federal law;
- Failing to make satisfactory progress toward the goals, objectives, or strategies set forth in the application;
- Failing to adhere to the requirements in the agreement, standard conditions, or special conditions;
- Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding;
- Failing to submit reports; and
- Filing a false certification in this application or other report or document.

Before imposing sanctions, Cal EMA will provide reasonable notice to the recipient of its intent to impose sanctions and will attempt to resolve the problem informally. Please refer to the most current edition of the Recipient Handbook, Section 12000, for specific information pertaining to Cal EMA's policy with respect to the withholding, disallowance, reduction, termination, and/or denial of grant funds.

## ***Non-profit organizations***

In all Office of Justice Programs (OJP) funded programs for which nonprofit organizations are eligible recipients or subrecipients, with the exception of those funded under authority of the Juvenile Justice and Delinquency Prevention Act, it is Department of Justice policy that an organization can demonstrate its non-profit status in any one of four methods:

- 1) submission of proof of 501(c)(3) status from the Internal Revenue Service;
- 2) submission of a statement from the State taxing authority or State Secretary of State, or other similar official certifying that the organization is a nonprofit operating within the State, and that no part of its net earnings may lawfully benefit any private shareholder or individual;
- 3) submission of a certified copy of the applicant's certificate of incorporation or similar document; or
- 4) submission of any item above, if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.

## ***For-Profit Organizations***

For-profit organizations that receive grant funds under JAG-OTP should be aware that additional special conditions are placed on awards to such organizations. Among other things, commercial organizations must agree not to make a profit as a result of an award and not to charge a management fee for the performance of an award. Also, commercial organizations must agree to comply with the contract cost principles of subpart 31.2 of the Federal Acquisition Regulations.

## ***Government Performance and Results Act (GPRA)***

Awardees must collect data (on a quarterly, semi-annually, or annual basis, as requested) appropriate for facilitating compliance with reporting requirements established by Public Law 103-62, the Government Performance and Results Act. The funding recipient must ensure that valid and auditable source documentation is available to support all data collected for each performance measure specified in the program solicitation.

***Federal Funding Accountability and Transparency Act (FFATA) of 2006***

Applicants that receive a Recovery Act award should be aware of the requirements of the Federal Funding Accountability and Transparency Act (FFATA) of 2006, which calls for the establishment of a single searchable website that is accessible by the public and includes the following information for each Federal award:

- (1) The name of the entity receiving the award;
- (2) The amount of the award;
- (3) Information on the award including the transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source, and an award title descriptive of the purpose of each funding action;
- (4) The location of the entity receiving the award and primary location of performance under the award, including the city, state, congressional district, and country;
- (5) A unique identifier of the entity receiving award and of the parent entity of the recipient, should the entity be owned by another entity; and
- (6) Any other relevant information specified by OMB.

Direct grant award information must be collected starting in FY 2007 and available for disclosure beginning in January 2008; subrecipient award data must be available beginning in January 2009. OJP will be responsible for collecting recipient information and providing it to the public website, using data provided by recipients through grants.gov and the Grants Management System. Additional information regarding these requirements will be provided when available. For updates, please visit the FFATA website at [www.fedspending.gov](http://www.fedspending.gov).

**SUBSTANCE ABUSE OFFENDER TREATMENT PROGRAM  
PART II – INSTRUCTIONS**

[Back](#)

- 
- A. PREPARING AN APPLICATION
  - B. PROJECT NARRATIVE
  - C. PROJECT BUDGET
  - D. APPLICATION APPENDIX
- 

**A. PREPARING AN APPLICATION**

The instructions in this section correspond to each of the application components and to the forms required to complete the application.

The applicant must use the forms provided in Part IV of this RFA or on our website at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov). The forms must be printed on plain white 8½" x 11" paper for the application. The Project and Budget Narrative templates provided on the website are formatted to Cal EMA standards. If you create your own Project and/or Budget Narrative forms, the format must duplicate the Cal EMA templates and not allow for more space than provided by Cal EMA. If a space limitation is specified for a component, strict adherence to the space limitation is required.

Please provide the 10 required application components in the order listed below:

- Application Cover Sheet (included in Part IV)
- Grant Award Face Sheet (Cal EMA 2-101)
- Project Contact Information (Cal EMA 2-102)
- Signature Authorization and Instructions (Cal EMA 2-103)
- Certification of Assurance of Compliance – (Cal EMA 2-104)
- Federal Grant Funds Log (Cal EMA 2-105)
- Project Narrative (Cal EMA 2-108)
- Project Budget (Including the Budget Narrative (Cal EMA 2-107) and the Budget Forms (Cal EMA 2-106 a-c)
- Appendix (See Section D on page 22)

**NOTE:** Pay special attention to the required forms. Failure to submit the correct forms will result in the application being returned.

Copies of the application must be assembled separately and individually fastened in the upper left corner.  
***Do not bind the application.***

**B. PROJECT NARRATIVE**

The project narrative is the main body of information describing the problem to be addressed, the plan to address the identified problem through appropriate and achievable objectives and activities, and the ability of the applicant to implement the plan.

**1. Problem Statement**

The Problem Statement should include a brief description of the nature and extent of the problem and identify the need for a JAG - OTP project within the county. Define the target area of the project using standard jurisdictional boundaries. Define the target population that will receive services within the target area. Identify the factors that contributed to the problem addressed by the program.

## 2. Plan

Each county should briefly discuss their agency and any collaborative partnerships that will be utilized to implement the problem. For each goal, specify the objectives to reach that goal, the activities that will be implemented to achieve the objectives, and the performance measures that will measure the achievement of the objectives.

### a) Goals

There are four goals for the JAG- OTP Program listed below. Add any additional goals unique to this project:

- Enhance treatment services.
- Increase proportion of offenders who enter, remain in, and complete treatment.
- Reduce delays in the availability of appropriate services.
- Employ a drug court model, including dedicated court calendars with regularly scheduled reviews of treatment progress, and strong collaboration by the courts, probation and treatment.

The following list provides some strategies identified by the University of California, Los Angeles to improve program outcomes and offender accountability. These are optional:

- Develop treatment services that are needed but not available.
- Locate assessment units or centers in or near the court.
- Enhance criminal justice supervision of offenders.
- Intensify or add services as indicated by drug test results.
- Use intermediate sanctions of graduating severity for problematic or recalcitrant offenders.
- Increase utilization of residential treatment services.

### b) Objectives – Objectives focus on the methods that will be used to address the problem.

For each goal listed in the application, specify the objectives that will be implemented to achieve the goal. The objectives should be clearly stated, **measurable** and reasonably attainable. They should reflect the project description and support the achievement of the project goals. At a minimum, the application must include objectives that project the total number of probationers and parolees admitted to treatment.

#### **Sample Objective:**

Increase the number of treatment slots for JAG- OTP clients funded through JAG-OTP:

\_\_\_ Number of probationers receiving treatment funded by JAG -OTP

\_\_\_ Number of parolees receiving treatment funded by JAG - OTP

- c) Activities – Activities are the key operational elements of the program.

Activities occur in support of the achievement of objectives. Activities must be specific, detailed enough to determine effectiveness, and must be reflective of the budget.

Describe in detail the activities to be performed to accomplish each objective. Activities must be specific and **measurable**.

- d) Performance Measures – Performance measures must be clearly identified and results oriented. Use the following **definitions** to assist in your response:

Output – The amount of work done; must be quantifiable (numbers projected and numbers achieved). Enter specific numbers, not percentages and not a range of numbers.

Output Measures – A measure of the volume of something actually produced; counts the goods and services produced (workload).

Determine how the impact of the plan (project) can be assessed. The measurements for each objective may be a combination of outputs and outcomes. Based on federal requirements, Cal EMA has moved from output measures alone, to incorporate outcome measures. Outcome measures can illustrate the effects/impact of the project efforts. If you eliminate the identified problem, what would or would not happen? Once the anticipated effects have been determined, baseline data needs to be established to measure program effectiveness over time. Recipients will be required to submit output/outcome data in progress reports.

#### **Sample Output Measures:**

- The number of probation clients projected to be admitted to outpatient treatment.
- The number of parole clients projected to be admitted to outpatient treatment.
- The number of probation clients projected to be admitted to residential treatment.
- The number of parole clients projected to be admitted to residential treatment.

Output measures must distinguish between offenders referred by probation and offenders referred by parole. If a client is dual supervised, or from both probation and parole, the offender should be counted as parole. Client counts are **ONLY** for clients funded by JAG - OTP funds. **DO NOT** double count clients funded through another source.

Outcome – The results of activities designed to accomplish the project's goal(s) and demonstrate a change.

Outcome Measure – The unit of measurement used to evaluate the success of an outcome or measures the actual impact or public benefit of a project's actions.

#### **Sample Outcome Measure:**

The percentage of Probation/Parole clients ordered to treatment that completed the prescribed course of treatment.

The percentage of probation/parole clients that made satisfactory progress in their prescribed level of treatment (either referred to a new service level or not referred).

### 3. Implementation

This section of the application's project narrative should demonstrate the ability of the applicant to implement the proposed plan. This ability should be demonstrated by the capabilities of the organization that will implement the project, and the collaborative working relationships with participating agencies/organizations. This discussion should describe the organizational structure of the agency and reference an organizational chart in the application Appendix. It should also discuss staff qualifications and working relationships with participating agencies referencing Operational Agreements included in the Appendix.

#### a) Operational Description

Provide a narrative that describes the agency that is implementing the project and the relationship between all project staff and participating agencies in relation to the overall project. Describe the project's overall organizational framework, listing all funded, non-funded, and donated positions assigned to the project.

#### b) Organizational Chart

The Application Appendix must contain a **current** organizational chart. It must show the relationships between the governing body, the organization, the project, the project staff, and the project volunteers. Position titles and percentage of time assigned for each position listed on the organizational chart must match with those positions listed, and percentage of funding for each position, on the actual budget pages for this program.

#### c) Operational Agreements

Operational Agreements (OAs) demonstrate a formal system of networking and coordination between participating agencies/organizations and the applicant. OAs must: (1) describe plans for coordination of services; (2) identify who provides which services; (3) specify what those services are; (4) describe the methods to assure quality of services; (5) describe the plan for cross training and cross referring; (6) describe the method of payment (i.e. invoices) to participating agencies; (7) be effective for the duration of this grant period (grant period ends March 31, 2011); and (8) be signed and dated by all parties, **even if the agencies and/or organizations are not funded by this program. Each application must include an OA between the County Alcohol and Drug Programs Administrator and the County Probation Department. If an OA cannot be reached the County Alcohol and Drug Programs Administrator can apply directly to Cal EMA for an exemption to this requirement.**

Submit the Operational Agreement Summary Form and include it in the Application Appendix. List those agencies, organizations, and individuals in the applicant's service area with whom the project has OAs for FY 2009/2010 and the length of those agreements.

Cal EMA will accept photocopied signatures on the Operational Agreements, but the **Original** OA with original signatures of those representing the following disciplines must be on file at the

project and be available for review upon a Site or Monitoring visit. A sample OA can be accessed by clicking on the following link: [Operational Agreement](#).

## C. PROJECT BUDGET

The purpose of the project budget is to demonstrate how the applicant will implement the plan with the funds available through this program. The budget is the basis for management, fiscal review, and audit. Project costs must be directly related to the objectives and activities of the project. The budget must cover the entire grant period. In the budget, include **only** those items covered by grant funds, including match funds when applicable. Projects may supplement grant funds with funds from other sources. Budgets are subject to Cal EMA modifications and approval.

Cal EMA requires the applicant to develop a **line item** budget which will enable the project to meet the intent and requirements of the program and ensure the successful and cost effective implementation of the project. The applicant should prepare a realistic and prudent budget avoiding unnecessary or unusual expenditures which detract from the accomplishment of the objectives and activities of the project.

**Note:** The following information is provided to assist in the preparation of the budget:

- All applicants must budget for a minimum of one Cal EMA sponsored training session during the grant year. Applicants must also include sufficient per diem and travel allocations for at a minimum of two project staff from each participating agency must attend each training conference.
- Strict adherence to required and prohibited items is expected.
- Where the applicant does not budget for a required item, the applicant assumes responsibility.
- Failure of the applicant to include required budget items does not eliminate responsibility to comply with those requirements during the implementation of the project.
- Cal EMA, in its discretion, may limit the expenditure of funds provided under this program for administrative costs. Cal EMA may also require a limitation on the expenditure of funds provided under this grant program for services other than direct treatment costs.

The applicant should refer to the *Recipient Handbook* for additional information concerning Cal EMA budget policy or to determine if specific proposed expenses are allowable. The *Recipient Handbook* is accessible on our website at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov). Look on the left side of the Cal EMA homepage under “Quick links” for the *Criminal Justice Programs Recipient Handbook* or scroll over the “Justice Programs” tab, select “Grant Applications & Proposals (RFAs/RFPs),” and then look under the “Related Links” section for *Recipient Handbooks*. Should you have additional budget questions, contact the person listed in Part I, B.

### 1. Budget Narrative

The applicant is required to submit a narrative with the project budget. The narrative must be typed and placed in the application preceding the budget pages, describing:

- how the project’s proposed budget supports the Program’s objectives and activities;
- how funds are allocated to minimize administrative costs and support direct services;
- the duties of project-funded staff, including qualifications or education level necessary for the job (this does not take the place of the brief justification required in the line item budget);
- how project-funded staff duties and time commitments support the proposed objectives and activities;



- proposed staff commitment/percentage of time to other efforts, in addition to time allocated to this project;
- the necessity for subcontracts and unusual expenditures; and
- the mid-year salary range adjustments.

## 2. Specific Budget Categories

In Part IV of this RFA, or on our website, you can access Excel spreadsheets for each of the following three budget categories:

### a) Personal Services – Salaries/Employee Benefits (Cal EMA 2-106a) (formerly OES A303a)

#### 1) Salaries

Personal services include services performed by project staff directly employed by the applicant and must be identified by position and percentage of salaries. They may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must also be budgeted as a part of salaries. If the applicant's personnel have accrued sick leave or vacation time prior to the approval of grant funding, they may not take time off using project funds. Salaries for staff not directly employed by the applicant must be shown as participating staff (see *Recipient Handbook*, Section 4500) in the Operating Expenses Category. Consultant services remain under Operating Expenses (refer to Part II, B.2.b. - Operating Expenses - paragraph two.)

#### 2) Benefits

Employee benefits must be identified by type and percentage of salaries. The applicant may use fixed percentages of salaries to calculate benefits. Budgeted benefits cannot exceed those already established by the applicant.

Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable budget items. Benefits, such as uniforms or California Bar Association dues are allowable budget items if negotiated as a part of an employee benefit package.

A line item is required for each different position/classification, but not for each individual employee. If several people will be employed full-time or part-time in the same position/classification, provide the number of full-time equivalents (e.g., three half-time clerical personnel should be itemized as 1.5 clerical positions).

### b) Operating Expenses (Cal EMA 2-106b) (formerly OES A303b)

Operating expenses are defined as necessary expenditures other than personal salaries, benefits and equipment. Such expenses may include specific items directly charged to the project, and in some cases, when permitted by the funding source, an indirect cost allowance. The expenses must be grant-related (i.e., to further the program objectives as defined in the grant award) and be encumbered during the grant period.

The following items fall within this category: consultant services such as subcontractors, participating staff who are not employed by the applicant, travel, office supplies, training materials, research forms, equipment maintenance, software equipment rental/lease, telephone, postage, printing, facility rental, vehicle maintenance, answering service fees and other consumable items. Furniture and office equipment with an acquisition cost of less than \$5000 (including tax,



installation, and freight) and/or with a useful life of less than one year fall within this category. Otherwise, these fall under equipment expenses.

Salaries for staff not directly employed by the applicant must be shown as consultant and/or participating staff costs (whichever is applicable per *Recipient Handbook* Sections 3710 and 4500), under the Operating Expenses category. These costs must be supported by an Operational Agreement (OA), which must be kept on file by the recipient and made available for review during a Cal EMA site visit, a monitoring visit, or an audit. In the case of grants being passed through a recipient to be operated by another agency, the staff from the second agency will be shown in the Operating Expenses Category.

c) Equipment (Cal EMA 2-106c) (formerly OES A303c)

Equipment is defined as nonexpendable tangible property having a useful life of more than one year and an acquisition cost of \$5000 or more per unit (including tax, installation, and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers must be one line item, not three).

**NOTE:** The left column of each budget category on the Spreadsheet requires line item detail including the calculation and justification for the expense. Enter the **whole dollar amount only** (no cents) on each line item and the match amount (if applicable) in the correct column of the Budget Category form. You may add extra rows if necessary. The spreadsheets automatically calculate the subtotal at the end of each budget category and provide the total of the three spreadsheets at the bottom of the Equipment page. The total of the budget including each funding source and/or match amount must correspond to the amount of the Total Project Cost (Block 10G) on the Grant Award Face Sheet.

## D. APPLICATION APPENDIX

The application appendix provides Cal EMA with additional information from the applicant to support components of the application. The following must be included:

- Organizational Chart:  
The Organizational Chart should clearly depict the structure of the applicant organization and the specific unit within the organization responsible for the implementation of the project. This chart should also depict supporting units within the organization (e.g., the Accounting Unit) and the lines of authority within the organization. Job titles on the Organizational Chart must match those in the Budget and Budget Narrative.
- Operational Agreement Summary Form
- [Operational Agreements \(OA\)](#): OAs must contain signatures, titles, and agency names for both parties and include dates effective for the proposed grant period. These documents must demonstrate a formal system of networking and coordination with other agencies and the applicant. A sample OA can be accessed by selecting the title above. **The application must include an OA with the probation department.** Cal EMA will accept photocopied signatures on the OAs. ***If an OA cannot be reached the County Alcohol and Drug Programs Administrator can apply directly to Cal EMA for an exemption to this requirement.***
- Project Summary (Cal EMA 2-150)
- Noncompetitive Bid Request (Cal EMA 2-156), If applicable
- Out of State Travel Request (Cal EMA 2-158), If applicable
- Project Service Area Information (Cal EMA 2-154)
- Computer and Automated Systems Purchase Justification Guidelines (Cal EMA 2-157) If applicable
- Recovery Act Special Conditions signed by the applicant.
- Request for Operational Agreement Exemption, If applicable

## SUBSTANCE ABUSE OFFENDER TREATMENT PROGRAM PART III – POLICIES AND PROCEDURES

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**NOTE:** The applicant is strongly encouraged to review the following sections before preparing the application.

- A. FINALIZING THE GRANT AWARD AGREEMENT
  - B. ADMINISTRATIVE REQUIREMENTS
  - C. BUDGET POLICY
- 

### A. FINALIZING THE GRANT AWARD AGREEMENT

#### 1. Standard Project Funding Authority

Cal EMA does not have the authority to disburse funds until the Grant Award Agreement is fully executed. Expenditures incurred prior to authorization are made at the project's own risk and may be disallowed. When the executed grant is received, authorized expenditure reports may be submitted for reimbursement of expenditures incurred subsequent to the effective date of the grant award agreement.

If, during the term of the grant award, the state and/or federal funds appropriated for the purposes of the grant award are reduced or eliminated by the California Legislature or the United States Government, or in the event revenues are not collected at the level appropriated, Cal EMA may immediately terminate or reduce the grant award by written notice to the recipient. However, no such termination or reduction shall apply to allowable costs already incurred by the recipient to the extent state or federal funds are available for payment of such costs.

Cal EMA Grant Award Agreements are subject to applicable restrictions, limitations, or conditions enacted by the California Legislature and/or the United States Government, subsequent to execution of the Grant Award Agreement.

#### 2. Processing Grant Awards

##### a. Grant Award Conditions

Cal EMA may add grant award conditions to the Grant Award Agreement prior to or after funding. If conditions are added, these will be discussed with the applicant and a copy of the conditions will be sent to the grant recipient when the conditions are made part of the Grant Award Agreement. Grant award conditions may include requirements for sole source justification, a computer feasibility study, or other requirements deemed necessary by Cal EMA.

##### b. Grant Award Agreement

A copy of the executed Grant Award Agreement and pertinent attachments will be sent to the Project Director. The applicant is not authorized to incur costs against the grant until a copy of the fully executed Grant Award Agreement is received. When the executed grant is received a Report of Expenditures and Request for Funds (Cal EMA 2-201) may be submitted for reimbursement.

##### c. Grant Award Amounts

When the amount of funds available is limited, Cal EMA may reduce the amount of the grant award from the amount requested by the applicant. In addition, Cal EMA reserves the right to negotiate budgetary changes with the applicant prior to executing the Grant Award Agreement. If either of these actions is required, Cal EMA will notify the applicant prior to executing the Grant Award Agreement.

## B. ADMINISTRATIVE REQUIREMENTS

The following requirements apply to projects selected for funding and are explained below for the recipient's planning purposes.

### 1. The *Recipient Handbook* (RH)

The *Recipient Handbook* is accessible on our website at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov). Look on the left side of the Cal EMA homepage under 'Quick links' for the Criminal Justice Programs Recipient Handbook or scroll over the "Justice Programs" tab, select "Grant Applications & Proposals (RFAs/RFPs)," and then look under the "Related Links" section for "*Recipient Handbooks*". The *Recipient Handbook* contains administrative information and requirements necessary to implement the project. Recipients must administer their grants in accordance with the *Recipient Handbook* requirements. Failure to comply with these requirements can result in the withholding or termination of the grant award.

### 2. Internet Access (RH 11500)

Funded projects are required to maintain Internet access with an established e-mail address. Grant funds may be used for this purpose unless specifically prohibited by the RFA instructions.

### 3. Progress Reports and Data Collection (RH 10100)

Funded projects are required to participate in data collection and to submit progress reports required by the program. Projects are required to keep accurate records to document the information reported in the progress reports. The records must be kept by the project for a period of three years. During site/monitoring visits, Cal EMA will review these records for accuracy and compare them with the reported data submitted on the progress reports.

### 4. Monthly/Quarterly Report of Expenditures/Request for Funds (RH 6300)

Community-based organizations (CBOs) shall submit a monthly Report of Expenditures and Request for Funds (Cal EMA 2-201) unless they request a quarterly reporting period. Government and education agencies receiving funds will be required to report on a quarterly basis. This form is due within 30 calendar days of the end of the reporting period and must be submitted whether or not the project has incurred expenses. Delays in submitting the form Cal EMA 2-201 will result in the withholding of funds and may result in the recommendation to Cal EMA's Executive Secretary for termination of the grant award.

### 5. Technical Assistance/Site Visits (RH 10300)

Funded projects are assigned a Cal EMA program specialist to oversee the progress of the project in achieving its goals, objectives and compliance with the Grant Award Agreement. Program specialists are available to assist the recipient in the successful implementation of the project and in meeting the administrative requirements of the Grant Award Agreement. New projects should expect a site visit from the assigned program specialist within the first six months of the grant period. Follow-up site visits will be conducted periodically throughout the life of the grant. Projects may request a site visit to obtain technical assistance.

### 6. Monitoring Requirements (RH 10400)

A monitoring visit is an onsite assessment by staff to determine if the project is in compliance with the terms of the program, the Grant Award Agreement, the Program Guidelines, the RFA/RFP, and the Recipient Handbook. Projects will be monitored on a random or as-needed basis.

## 7. Audit Requirements (RH 8100)

To safeguard Cal EMA assets and to ensure that all funds are accounted for, Cal EMA requires that organizations receiving Cal EMA grant award(s) be audited in accordance with Recipient Handbook section 8100.

## 8. Source Documentation (RH 10111)

Recipients will be required to maintain source documentation to support claimed expenditures and project accomplishments. Source documentation is defined as records used to validate project activities and achievements pertaining to the objectives outlined in the Grant Award Agreement. Recipients are to retain source documentation for progress reports on a quarterly basis, regardless of submission requirements. Requirements and definitions for program specific source documentation are delineated in the RFA instructions. Recipients will be required to have written job descriptions on file for positions funded by Cal EMA detailing specific grant-related activities to achieve project objectives.

## 9. Bonding Requirements (RH 2160)

Private community-based organizations and American Indian organizations are required to obtain and send to Cal EMA a notarized copy of a blanket fidelity bond or equivalent insurance contract applicable to officials and employees of Cal EMA-funded projects within 60 days of the signed Grant Award Agreement. Failure to comply with this requirement may result in the withholding of grant funds or termination of the Grant Award Agreement. The beneficiary named on the bond or an endorsement must include the "State of California, California Emergency Management Agency" and include the Grant Award number for identification purposes.

The time period covered by the bond must include the effective date and total time period of the grant, including extensions. The bond must be in an amount equal to 50 percent (50%) of the total grant award and may have a deductible in an amount not to exceed one percent (1%) of the bond.

A bond is not required of a recipient sponsored by units of government. CBOs sponsored by units of government may submit documentation indicating this in lieu of the bond or insurance contract, unless specifically required terms of the program or grant award conditions.

## 10. Copyrights, Rights in Data, and Patents (RH 5300-5400)

Cal EMA owns rights of and reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use, in whole or in part, material produced by activities supported by a Grant Award Agreement. Except as prohibited by State and Federal confidentiality laws. These ownership rights are detailed in the Recipient Handbook.

## C. BUDGET POLICY

This document summarizes information on Cal EMA Budget Policy contained in the *Recipient Handbook*. Additional information may be obtained by accessing the Recipient Handbook at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov). Look on the left side of the Cal EMA homepage under "Quick links" for the *Criminal Justice Programs Recipient Handbook*, or scroll over the "Justice Programs" tab, select "Grant Applications & Proposals (RFAs/RFPs)," and then look under the "Related Links" section for *Recipient Handbooks*.

### 1. Supplanting Prohibited (*RH 1330*)

Grant funds must be used to supplement existing funds for program activities and *not replace* funds appropriated for the same purpose. If selected for funding, a written certification must be provided to Cal EMA indicating grant funds will not be used to supplant existing funds. Potential supplanting will be the subject of application review, post-award monitoring, and audit. The rules on supplanting are found in Section 1330 of the *Recipient Handbook*.

### 2. Project Income (*RH 6610*)

Project income, such as client fees and fees for services provided by the recipient (i.e., training, presentations, etc.), asset forfeitures, profits from the sale of project products, and conference proceeds as the result of a direct trade of time or products for money must be used to offset or augment the grant, unless otherwise specified in the RFA instructions. Project income cannot be used as matching funds, unless otherwise specified in the RFA instructions.

### 3. Methods of Contracting and/or Procurement (*RH 3400*)

A competitive bid process is required to purchase equipment or consultant services with grant funds. Noncompetitive bid contracts are disfavored. Noncompetitive bid request approval by Cal EMA program staff is required prior to the purchase of equipment in excess of \$5,000, or to hire a specific consultant charging over \$5,000. Local units of government may use their approved procurement policy except for contracts over \$50,000 which require prior Cal EMA approval. For organizations without a written procurement policy, a competitive bid process involves determining the specifications for the items needed and obtaining at least three bids from different vendors. Whenever a specific individual/organization name is identified in the project budget, a narrative describing the competitive bid process or a sole-source procurement (noncompetitive bid) request will be required. Cal EMA will provide assistance in submitting a noncompetitive bid request if the proposal is selected for funding and if Cal EMA determines it is in the best interest of the project. These procedures do not apply to funds shared with participating agencies under the terms of an Operational Agreement (see Section 4500, *Recipient Handbook*).

### 4. Match Requirements (*RH 6500*)

There are no match requirements for this program.

### 5. Travel Policies (*RH 2236*)

The following is Cal EMA's current travel policy:

#### a. Travel and Per Diem (*RH 2236*)

The applicant may prepare the budget using its own travel policy or the state travel policy according to the following guidelines. Travel reimbursement will only be allowed based on actual costs.

##### 1) Units of Government

Units of government may use their own written travel policy or the state policy.

##### 2) Community-Based Organizations (CBOs)

A community-based organization may use the state travel policy or the applicant's written policy up to the maximum rates allowed by the state travel policy.

b. State Travel and Per Diem Policy (*RH 2236.2*)

Use the following state travel policy for budgeting travel expenses:

1) Out-of-State Travel

Out-of-state travel is restricted and only allowed in exceptional situations. Requests for approval for out-of-state travel must be submitted for Cal EMA approval.

2) Meals and Incidentals

a) Breakfast \$6.00

Breakfast may be claimed when travel commences at or prior to 6:00 a.m. Breakfast may be claimed on the last fractional day of a trip of more than 24 hours if travel terminates at or after 8:00 a.m.

b) Lunch \$10.00

Lunch may not be claimed for travel less than 24 hours. Lunch may be claimed if the trip begins at or before 11:00 a.m. and may be claimed on the last fractional day of a trip of more than 24 hours if the travel terminates at or after 2:00 p.m.

c) Dinner \$18.00

Dinner may be claimed if the trip begins at or before 5:00 p.m. Dinner may be claimed when travel terminates at or after 7:00 p.m., whether on a one-day trip or on the last day of a trip of more than 24 hours.

d) Incidentals \$6.00

Incidentals may be claimed for trips of 24 hours or more.

e) Total Per Diem

The maximum is \$40.00 for a 24-hour period.

3) Lodging

The maximum allowed lodging expense is \$84.00, plus applicable taxes, (except as noted below). Lodging receipts are required for reimbursement.

4) Special Lodging Rates

The maximum allowed lodging rate in Los Angeles and San Diego counties is \$110.00, plus applicable taxes. The maximum for Alameda, San Francisco, San Mateo, and Santa Clara counties is \$140.00, plus applicable taxes.

5) Mileage

When a privately owned vehicle is utilized on project-related business, a maximum of 55.5 cents per mile is allowed, unless a higher rate is justified. Documentation justifying a higher rate must be on file and available for audit, but should not be submitted with the application.



## 6) Other

Taxi, airport shuttle, etc., which exceed \$3.50 must be supported by receipt. Parking in excess of \$10.00 must be supported by receipt.

## 6. Participating Staff (RH 4500)

The term “participating staff” refers to salaried employees of a participating agency assigned to work with the recipient on the implementation of a project. The agreement between the recipient and the participating agency concerning participating staff must be reflected in the OA. Grant related costs associated with participating staff must be itemized in the Operating Expenses category of the grant budget.

## 7. Independent Contractor/Consultant Services (RH 3710)

Consultant services are provided on a contractual basis by individuals or organizations not directly employed by the applicant. Independent contractors must not be used in lieu of employees. Independent contractors are defined as individuals or organizations meeting some or all of the following criteria:

- produce a specific product or service;
- work independently without direct supervision from the applicant;
- work on specific projects;
- provide services for a limited number of hours or period of time; and/or
- have no agency management or oversight responsibilities directed toward the financial success or direction of the agency

### a. Rates (3710.1)

The maximum rate for independent contractors is \$250.00 per hour (excluding travel and subsistence costs). Compensation over \$250.00 per hour requires additional justification and **prior approval** from Cal EMA.

#### 1) Independent Contractors Employed by State and Local Government

Compensation for independent contractors will be allowed when the unit of government will not provide its services without cost. In these cases, the rate of compensation is not to exceed the daily salary rate paid by the unit of government.

### b. Expert Witness Fees (RH 3710.2)

Projects, which routinely utilize “expert witnesses” as independent contractors to conduct evaluations and provide expert testimony in the courtroom, may budget for this expense. However, the project may only be charged for costs above what the jurisdiction is required to cover. The maximum allowable rate for such witness fees is \$250.00 per hour up to \$2,000 per day. The total amount budgeted for expert witness fees must not exceed ten percent (10%) of the project’s total budget. Requests for proposed expert witness costs must be accompanied by written justification indicating the following:

- qualifications, training, and experience of the expert(s), including a statement regarding recognition by the court of the individual as an expert;

- specialized certification/licensure [e.g., Masters in Social Work (MSW); Licensed Clinical Social Worker (LCSW), Marriage and Family Therapist (MFT); Medical Doctor (MD)];
- rate of pay per hour including documentation of a survey of the availability of similar consultants, the current “going rate,” and the proposed rate of pay with a cost breakdown if expert is paid according to services (e.g., mileage, waiting time, court testimony);
- proposed services to be provided (e.g., analysis of forensic evidence, psychological evaluation); and
- justification why this cost cannot be paid with other funds [attach the justification to Cal EMA 2-106 (formerly OES A303b)].

#### 8. Facility Rental (*RH 2232*)

Up to \$21.00 per square foot annually (\$1.75 per square foot per month) is allowed for facility rental. If the rental cost for office space exceeds this rate, it must be consistent with the prevailing rate in the local area. This documentation must be on file and available for audit and should not be submitted with the application.

##### a. Rental Space for Training and Counseling Rooms (*RH 2232.1*)

Rental space for training and individual and/or group counseling rooms may also be charged to the grant, providing the charge is based on actual costs and not reimbursed by another source.

#### 9. Rented or Leased Equipment (*RH 2233*)

An explanation and cost analysis is required when equipment is rented or leased. This analysis must demonstrate that it is more cost-effective to rent or lease the equipment than it is to purchase it, and must be approved by Cal EMA prior to the execution of a rental or lease agreement.

#### 10. Indirect Costs/Administrative Overhead (*RH 2220*)

Indirect costs are those not readily itemized or assignable to a particular project, but necessary to the operation of the organization and the performance of the project. The costs of operating and maintaining facilities, accounting services, and administrative salaries are examples of indirect costs. Flat rates not exceeding ten percent (10%) of personnel salaries (excluding benefits and overtime) or five percent (5%) of total direct project costs (excluding equipment) may be budgeted by applicant for indirect costs if allowable by the funding source.

#### 11. Audits (*RH 8150*)

Recipients expending between \$25,000 and \$499,999 in federal or state funds annually cannot use federal funds to reimburse for costs associated with audits. Recipients expending \$500,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Circular A-133 and are allowed to utilize federal grant funds to budget for the audit costs.

Specifically, the allowable audit costs are as follows:

- if the total project cost is less than or equal to \$150,000, the project may budget up to \$2,000 for the financial audit cost; or
- if the total project cost is greater than \$150,000, the project may budget up to one and a half percent (1.5%) of the total grant for financial audit costs.



## 12. Equipment (*RH 2300*)

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit (including tax, installation and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers should be one line item, not three).

### a. Allowable Expenses

Equipment used solely for project activities may be budgeted if it is essential to the implementation of the project. Grant funds may not be used to reimburse the recipient for equipment already purchased.

Rented or leased equipment must be budgeted as an Operating Expense. Lease-to-purchase agreements are generally not allowable. If a lease-to-purchase is requested, the project will be required to submit justification, including cost-effectiveness, with the Grant Award Forms Package. Prior approval by Cal EMA is required.

### b. Computers and Automated Equipment (*RH 2340*)

#### 1) Community-Based Organizations (*RH 2342.1*)

Community-based organizations may budget up to \$25,000 in computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. Cal EMA will evaluate the proposed purchase on the basis of grant-related need. Prior approval by Cal EMA is required.

#### 2) Units of Government (*RH 2342.2*)

Units of government may budget for computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. Cal EMA will evaluate the proposed purchase on the basis of grant-related need. Cal EMA must give approval prior to purchase. If federal grant funds totaling in excess of \$100,000 are used for automated data processing purchases, prior federal approval is also required.

#### 3) Computer Purchase Justification (*RH 2341*)

Approval for purchases of computers and automated equipment is contingent on the applicant's ability to demonstrate cost-effective, project-related need which is best demonstrated by clearly relating each computer system or component to the grant objectives and activities. If selected for funding, the applicant will be sent instructions for preparing the justification.

### c. Automobiles (*RH 2331*)

Automobiles are not allowable items unless permitted by the terms of the program. If an automobile is included in the budget, substantial justification demonstrating the grant-related need will be required before finalization of the Grant Award Agreement. The justification must describe the need for the automobile, including the size of service area, the need to provide direct service away from the office, and the reason why the agency will not allow personal automobile usage during work hours. A cost analysis for automobile purchase, as compared to other options including lease and personal automobile use and mileage, must be done and kept on file for review by Cal EMA program staff during a site visit, monitoring visit, and/or audit.

### 13. Prohibited Expense Items (*RH 2240*)

#### a. Bonuses and Commissions (*RH 2241*)

Projects are prohibited from paying any bonus or commission to any individual, organization or firm unless specifically authorized by the terms of the program

#### b. Lobbying (*RH 2242*)

Refer to *RH 2242.1* for an extensive list of prohibited activities.

#### c. Fundraising (*RH 2243*)

Cal EMA grant funds cannot be used for organized fundraising including financial campaigns, endowment drives, solicitation of gifts and bequests, or similar expenses incurred solely to raise capital or obtain contributions.

#### d. Real Property and Improvements (*RH 2244*)

Real property, including land, land improvements, structures and their attachments, and structural improvements and alterations are not allowable expenditures unless specifically authorized in the RFA instructions.

#### e. Interest (*RH 2245*)

The cost of interest payments is not an allowable expenditure, unless the cost is a result of a lease/purchase agreement.

#### f. Charges, Fees, and Penalties (*RH 2245*)

Finance charges, late payment fees, penalties, and returned check charges are not allowable expenditures.

#### g. Food and Beverages (*RH 2246*)

The cost of food and/or beverages at grant-sponsored conferences, meetings or office functions is not an allowable expenditure.

#### h. Weapons and Ammunition (*RH 2247*)

The cost of weapons and/or ammunition of any type is not an allowable expenditure, unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFA instructions.

#### i. Membership Dues (*RH 2248*)

The cost of membership dues for the licensing or credentialing of professional personnel is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFA instructions.

#### j. Professional License (*RH 2248*)

The cost of a professional license is not an allowable expenditure unless specifically authorized in the RFA instructions.

k. Annual Professional Dues or Fees (*RH 2248*)

The cost of professional dues or fees is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized by the RFA instructions.

l. Depreciation (*RH 2249*)

Equipment costs may not include additional costs calculated for depreciation.

## SUBSTANCE ABUSE OFFENDER TREATMENT PROGRAM APPLICATION FORMS

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Click on one of the links below to access the corresponding form. Save the form to your hard drive before filling it out. To access the complete list of forms go to [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov), scroll over the “Justice Programs” tab, select “Grant Applications & Proposals (RFAs/RFPs),” then look under the “Related Links” section for “Forms”. Or, paste the following link into your browser:

**[http://www.oes.ca.gov/WebPage/oeswebsite.nsf/OESBranchContentPortal?ReadForm&type=Forms&look=Grant%20Applications%20and%20Proposals%20\(RFAs/RFPs\)&Div=Law+Enforcement+and+Victim+Services+\(LEVS\)&Branch=Grant%20Applications%20and%20Proposals%20\(RFAs/RFPs\)Forms](http://www.oes.ca.gov/WebPage/oeswebsite.nsf/OESBranchContentPortal?ReadForm&type=Forms&look=Grant%20Applications%20and%20Proposals%20(RFAs/RFPs)&Div=Law+Enforcement+and+Victim+Services+(LEVS)&Branch=Grant%20Applications%20and%20Proposals%20(RFAs/RFPs)Forms)**

[Checklist](#)

[Coversheet](#)

[Grant Award Face Sheet and Instructions \(Cal EMA 2-101\)](#)

[Project Contact Instructions and Information \(Cal EMA 2-102\)](#)

[Signature Authorization and Instructions \(Cal EMA 2-103\)](#)

[Certification of Assurance of Compliance \(Cal EMA 2-104j\)](#)

[Federal Grant Funds Log \(Cal EMA 2-105\)](#)

[Project Narrative \(Cal EMA 2-108\)](#)

[Application Budget \(Cal EMA 2-106\) – Budget Narrative \(Cal EMA 2-107\)](#)

[Budget Forms \(Excel spreadsheet format\) – Without Match](#)

[Project Summary \(Cal EMA 2-150\)](#)

[Operational Agreement Summary Form \(Cal EMA 2-160\)](#)

[Sample Operational Agreement \(Cal EMA 2-161\)](#)

[Noncompetitive Bid Request Checklist \(Cal EMA 2-156\) – If Applicable](#)

[Out-Of-State Travel Request \(Cal EMA 2-158\) – If Applicable](#)

[Project Service Area Information \(Cal EMA 2-154\)](#)

[Computer and Automated Systems Purchase Justification \(Cal EMA 2-157\) – If Applicable](#)

[Recovery Act Special Conditions](#)

**SUBSTANCE ABUSE OFFENDER TREATMENT PROGRAM  
GLOSSARY OF TERMS**

TERM	DEFINITION
Activity	The specific steps or actions that a project takes to achieve a measurable objective.
Administrative Agency or Recipient	The agency or organization designated on the Grant Award Face Sheet (Cal EMA 2-101) is the programmatic Recipient of the grant funds and will accomplish the planned objectives and program goals. The Recipient was formerly referred to as the "Grantee".
Application	Once selected for funding, the original proposal plus any additional forms as required by Cal EMA becomes the application. This application, once signed by Cal EMA and the local government agency or organization authorized to accept grant funding, becomes the Grant Award/Grant Award Agreement (Cal EMA 2-101).
CFR	Code of Federal Regulations
Community-based Organization (CBO)	A nonprofit, public benefit corporation.
Competitive Bid	A contract process used when all suppliers are equally or nearly equally qualified to provide the services.
Equal Employment Opportunity Plan (EEOP)	A comprehensive plan that analyzes the agency's workforce and all agency employment practices to determine their impact on the basis of ethnicity and gender. The objective of the EEOP is to ensure nondiscrimination in all areas of employment (recruitment, hiring, promotions, etc), and in the delivery of services and benefits.
Equal Employment Opportunity (EEO) Checklists	An EEO Checklist is a document used by program staff while conducting site/monitoring visits. The checklists (A and B) were prepared to assist Cal EMA in verifying that recipients are in compliance with State and Federal Civil Rights Laws.
Grant Award Agreement	The signed final agreement between Cal EMA and the local government agency or organization authorized to accept grant funding. (See Application.)
Grant Funding Cycle	The number of years a program may be funded without competition. A funding cycle is typically three years.
Grant Funding Period	The period of time, determined by the Request for Proposal (RFA) or the Request for Application (RFA), which the project narrative, objectives, activities, and budget cover. The time period is usually one year, and is shown on the Grant Award Face Sheet (Cal EMA 2-101) (formerly OES A301).
Implementing Agency	The agency or organization designated on the Grant Award Face Sheet that is responsible for the day-to-day operation of the project (e.g., probation department, district attorney, sheriff).
Monitoring Report Response Form	Form sent to the Recipient with the Monitoring report. The form is completed by the Recipient and returned to the Cal EMA Local Assistance

	Monitoring Branch (LAMB), indicating the Monitoring Report is accurate or inaccurate as of the date of the Monitoring.
Noncompetitive Bid (NB)	A contract for goods or services, where only a single source that can provide the services or goods is afforded the opportunity to offer a price for the specified services or goods. (Contracts sometimes include goods as well as services, and this definition will also apply to those circumstances.)
Nonprofit Organization (aka Community-Based Organization)	<p>A nonprofit, public benefit corporation as defined in the federal regulation of 28 C.F.R. Part 38, Department of Justice. This modifies the need to be recognized by the Internal Revenue Service as a 501(c)(3) for recipients of faith-based organizations. All organizations may qualify for nonprofit status using any one of the four following methods:</p> <p>(1) Proof that the Internal Revenue Service recognizes the applicant has the status of a 501(c)(3).</p> <p>(2) A statement from a State taxing body or the State Secretary of State certifying that (i) the Organization is a nonprofit organization operating within the State; and (ii) No part of its net earnings may lawfully benefit any private shareholder or individual:</p> <p>(3) A certified copy of the applicant's certificate of incorporation or similar document that clearly establishes the nonprofit status of the applicant; or</p> <p>(4) Any item described in (1) through (3) if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.</p>
Objectives	A set of quantifiable projections to be carried out in order to accomplish the program goals.
On Site	Refers to the location of operation of the grant award recipient. If multiple sites exist, the site that provides the project recipients with program direction qualifies as the "on site location."
Operational Agreement (OA)	A formal agreement between two or more agencies, which specifies the responsibilities of each agency in implementing the project. The term Operational Agreement also includes documents entitled Memorandum of Understanding, Letters of Intent, or other titles that serve the same purpose.
Participating Agency	An organization that receives grant funds through an Operational Agreement to participate in achieving the goals of a project. The participating agency must be a unit of government or a community-based organization.
Participating Staff	A salaried employee of a Participating Agency.
Program	A specific set of goals and objectives established pursuant to legislative, congressional, or administrative action identifying an unmet need of the criminal justice system or victim services and supported by a set appropriation from state or federal funding sources.
Project	The implementation of a Program by a Recipient. The project includes all

of the grants implemented by the Recipient under that Program regardless of the year of implementation.

Proposal	The packet of forms and narrative as requested by the RFA and submitted to Cal EMA that specified the priorities, strategies, and objectives of the applicant.
Recipient Handbook	This handbook outlines the terms and conditions required of grant projects. Funded projects must administer their grants in accordance with these administrative and fiscal conditions. The <i>Recipient Handbook</i> is accessible at <a href="http://www.CalEMA.ca.gov">www.CalEMA.ca.gov</a> . Look on the left side of the Cal EMA homepage under 'Quick links' for the Criminal Justice Programs Recipient Handbook or scroll over the "Justice Programs" tab, select "Grant Applications & Proposals (RFAs/RFPs)," and then look under the "Related Links" section for " <i>Recipient Handbooks</i> ". The <i>Recipient Handbook</i> was previously called the " <i>Grantee Handbook</i> ".
Request for Application (RFA)	The RFA is a noncompetitive process issued by Cal EMA to obtain applications from applicants previously selected for funding.
Request for Proposal (RFA)	The Request for Proposal is issued by Cal EMA to solicit competitive proposals in order to select projects for funding.
Single Source	This term has been replaced by the term "noncompetitive bid".
Sole Source	This term has been replaced by the term "noncompetitive bid".
Source Documentation	Records that validate project activities and achievements as they pertain to the objectives outlined in the Grant Award Agreement.
Supplanting	To reduce federal, state, or local funds because of the existence of Cal EMA funds. Supplanting occurs when a Recipient deliberately replaces its non-Cal EMA funds with Cal EMA funds, thereby reducing the total amount available for the stated purpose.
Terms of the Program	The applicable Program Guidelines, application requests [Request for Proposal (RFA)/Request for Application (RFA)], grant award agreement, Cal EMA policy statements, and applicable statutes. In the event the terms of the program are inconsistent with the provisions of this handbook, the terms of the program shall be interpreted and construed as superseding the provisions of this handbook.
USC	United States Code
Recipient	The County that receives the Cal EMA grant
Contractor	An organization or person that contracts to furnish goods or services for profit.
Vendor	An organization or person that sells goods or services for profit.

## ATTACHMENT C



Request of Operational Agreement Exemption  
Recovery Justice Assistance Grant  
Substance Abuse Offender Treatment Program  
Project Period 2009-11

County Name: \_\_\_\_\_

The county requests an exemption to an Operation Agreement  
between the County Alcohol and Drug Programs and the County  
Probation Department due to the following reason(s):

Explanation:

\_\_\_\_\_

Alcohol Drug Administrator  
Designee

County

Date

Print Name

Title

Phone  
Number

Must be received by **November 30, 2009**; please fax or mail to:

California Emergency Management Agency (Cal EMA)

Gang Violence Section

Attn: Angela Smith

3650 Schriever Avenue

Mather, California 95655

Fax: (916) 323-1756

\_\_\_\_\_  
Cal EMA Signature

☐ Approved

☐ Denied